

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>EDWARD McCLENDON, a minor, by his</b>	)	
<b>Mother and guardian, JUWAN WILSON, and</b>	)	
<b>COLLIN McCLENDON,</b>	)	
	)	
<b>Plaintiffs,</b>	)	<b>No. 08 CV 2866</b>
<b>vs.</b>	)	
	)	
<b>CITY OF CHICAGO HEIGHTS, and</b>	)	<b>Judge St. Eve</b>
<b>CHICAGO HEIGHTS POLICE OFFICER</b>	)	
<b>KIRBY and other unknown and unnamed</b>	)	<b>Magistrate Judge Cole</b>
<b>Officer,</b>	)	
	)	
<b>Defendants.</b>	)	

**ANSWER TO COMPLAINT**

NOW COMES the Defendant, CITY OF CHICAGO HEIGHTS, by and through its attorney, ANTHONY C. SCREMENTI of the Law Firm of CIFELLI, SCREMENTI, CIFELLI & SPINA, LTD., and in Answer to Plaintiffs' Complaint, states as follows:

**JURISDICTION AND VENUE**

1. The Defendant admits the allegations contained in Paragraph 1.
2. The Defendant admits the allegations contained in Paragraph 2.

**PARTIES**

3. The Defendant admits the allegations contained in Paragraph 3.
4. The Defendant admits the allegations contained in Paragraph 4.
5. The Defendant denies the allegations contained in Paragraph 5.
6. The Defendant admits the allegations contained in Paragraph 6.

**FACTUAL ALLEGATIONS**

7. The Defendant denies the allegations contained in Paragraph 7.
8. The Defendant denies the allegations contained in Paragraph 8.
9. The Defendant denies the allegations contained in Paragraph 9.
10. The Defendant admits the allegations contained in Paragraph 10.
11. The Defendant denies the allegations contained in Paragraph 11.
12. The Defendant, KIRBY, is unknown to this Defendant and, therefore, the Defendant denies the allegations contained in Paragraph 12.
13. The Defendant, KIRBY, is unknown to this Defendant and, therefore, the Defendant denies the allegations contained in Paragraph 13.

- 14. The Defendant denies the allegations contained in Paragraph 14.
- 15. The Defendant denies the allegations contained in Paragraph 15.
- 16. The Defendant denies the allegations contained in Paragraph 16.

**COUNT I – UNREASONABLE SEIZURE**

- 17. That the Defendant herein repeats and realleges its Answers to paragraphs 1 through 16 above as its Answers to paragraphs 1 through 16 of this Count I, as though fully set forth.
- 18. The Defendant denies the allegations contained in Paragraph 18.
- 19. The Defendant denies the allegations contained in Paragraph 19.

**COUNT II – EXCESSIVE FORCE**

- 20. That the Defendant herein repeats and realleges its Answers to paragraphs 1 through 16 above as its Answers to paragraphs 1 through 16 of this Count II, as though fully set forth.
- 21. The Defendant denies the allegations contained in Paragraph 21.
- 22. The Defendant denies the allegations contained in Paragraph 22.
- 23. The Defendant denies the allegations contained in Paragraph 23.
- 24. The Defendant denies the allegations contained in Paragraph 24.

**COUNT III – BATTERY**

- 25. That the Defendant herein repeats and realleges its Answers to paragraphs 1 through 16 above as its Answers to paragraphs 1 through 16 of this Count III, as though fully set forth.
- 26. The Defendant denies the allegations contained in Paragraph 26.
- 27. The Defendant denies the allegations contained in Paragraph 27.
- 28. The Defendant denies the allegations contained in Paragraph 28.
- 29. The Defendant denies the allegations contained in Paragraph 29.

**COUNT IV – FALSE IMPRISONMENT**

- 30. That the Defendant herein repeats and realleges its Answers to paragraphs 1 through 16 above as its Answers to paragraphs 1 through 16 of this Count IV, as though fully set forth.
- 31. The Defendant denies the allegations contained in Paragraph 31.
- 32. The Defendant denies the allegations contained in Paragraph 32.
- 33. The Defendant denies the allegations contained in Paragraph 33.

WHEREFORE, the Defendant, CITY OF CHICAGO HEIGHTS, prays that the relief sought in the Plaintiffs' Complaint be denied.

s/Anthony C. Scrementi  
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